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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 D. BRIAN BOGESS,
15 Defendant.

16

17 Case No. 2:19-cv-01316-GMN-EJY

18

19 **JOINT STIPULATION AND**
[PROPOSED] ORDER TO LIFT STAY
OF PROCEEDINGS

20

21 The parties in the above-referenced matter, by and through their attorneys, hereby
22 jointly move the Court for an order lifting the stay granted by this Court on December 23,
23 2019.

24 On July 30, 2019, the Government filed a Complaint seeking the return of benefit
25 payments from the Defendant. ECF No. 1. The Defendant filed his Answer on October
26 15, 2019. ECF No. 5.

27 On December 20, 2019, the parties sought a stay of proceedings in order to “resolve
28 this matter without continued litigation.” ECF No. 8. This Court granted the Order to
Stay on December 23, 2019. ECF No. 9. Unfortunately, the compromised settlement that
the parties sought to achieve has not occurred. Consequently, the parties request the Court
lift the present stay in order that this matter can proceed. Within ten (10) days following the

1 Court's entry of an Order lifting the stay in this matter, the parties will submit a proposed
2 Joint Discovery Plan and Scheduling Order.

3 Respectfully submitted this 30th day of August, 2021.
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5 CHRISTOPHER CHIOU
6 Acting United States Attorney

7 /s/ D. Brian Boggess
8 D. BRIAN BOGGESSION
3610 N. University Ave. Suite 275
Provo, UT 84604

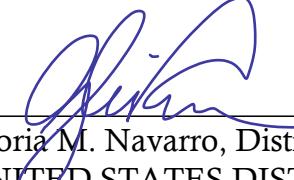
9 *Attorney for Defendant (Pro Se)*

10 /s/ Summer A. Johnson
11 SUMMER A. JOHNSON
12 Assistant United States Attorney

13 *Attorney for the United States*

14 **IT IS SO ORDERED.**

15 Dated this 31 day of August, 2021.

16 
17 Gloria M. Navarro, District Judge
18 UNITED STATES DISTRICT COURT

Certificate of Service

I hereby certify that on August 30, 2021, I electronically filed and served the foregoing **JOINT STIPULATION AND [PROPOSED] ORDER TO LIFT STAY OF PROCEEDINGS** with the Clerk of the Court for the United States District Court for the District of Nevada using the CM/ECF system and by first class mail, postage prepaid, as follows:

D. BRIAN BOGESS
3610 N. University Ave. Suite 275
Provo, UT 84604

/s/ Summer A. Johnson
SUMMER A. JOHNSON
Assistant United States Attorney
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